

CLAY COUNTY PLANNING AND ZONING COMMISSION MINUTES

August 2, 2011

Regular meeting of the Clay County Planning and Zoning Commission, 234 W. Shrader, Suite C, Liberty, MO 64068 (Training Room)

(Meeting location changed the day of the meeting due to the Admin. Bldg. being closed as a result of having no electricity in the building.)

Call to Order at 6:30 pm.

Roll Call

Members Present: Gene Knisley, Jim Edwards,
Mark Beggs, Jeff Richerson, and Karl Walters

Members Absent: Barbara Ball

Staff Present: Matt Tapp, Director
Debbie Viviano, Planner
Greg Canuteson, Assistant County Counselor
Judi Ewing, Secretary

Mr. Knisley: Good evening ladies and gentlemen. Welcome to our meeting of Tuesday, August 2, 2011, regular meeting of Clay County Planning and Zoning Commission will now come to order.

Mr. Knisley: May we have the roll call, please?

Mr. Tapp: Mr. Walters?

Mr. Walters: Present.

Mr. Tapp: Mr. Edwards?

Mr. Edwards: Present.

Mr. Tapp: Mr. Richerson?

Mr. Richerson: Present.

Mr. Tapp: Mrs. Ball?

Mrs. Ball: No answer.

Mr. Tapp: Mr. Beggs?

Mr. Beggs: Present.

Mr. Tapp: Mr. Knisley?

Mr. Knisley: Present.

Mr. Knisley: Thank you. We need to approve the July 5, 2011, Planning and Zoning Commission Minutes. Do I have a motion?

Mr. Richerson: Mr. Chairman, I make a motion that we approve the July 5, 2011, minutes.

Mr. Edwards: Seconded.

Mr. Knisley: There has been a motion and a second. Vote please.

Mr. Tapp: Mr. Walters?

Mr. Walters: Approve.

Mr. Tapp: Mr. Edwards?

Mr. Edwards: Approve.

Mr. Tapp: Mr. Richerson?

Mr. Richerson: Approve.

Mr. Tapp: Mr. Beggs?

Mr. Beggs: Approve.

Mr. Tapp: Mr. Knisley?

Mr. Knisley: Approve.

Final Vote: 5/0/0 Approve July 5, 2011 Planning & Zoning Minutes

(Meeting recessed for approximately 10 min. to allow the public time to drive to new meeting location at 234 W. Shrader, Liberty, MO- Training Room)

Mr. Knisley: We will resume the Clay County Planning and Zoning meeting of August 2, 2011. Members please review the monthly report for July. If you have any questions, please bring them up at this time.

Mr. Tapp: The good news is that we are up versus last year. That is definitely the trend. That includes the home improvement incentive program at the reduced dollar amount. There has been about three people that have referenced the program since April.

Mr. Knisley: Okay, we will proceed with our case for this evening **Case No.: August 11-106 CUP**– A request for renewal of a Conditional Use Permit of an existing commercial wireless communication tower on Agriculturally (AG) zoned property located at approximately 13222 NE 112th Street. The applicant is Kelly Loebig, Property Manager/Global Signal Acquisitions IV LLC., representing Petty Farms, Inc. Staff report please.

Mr. Tapp: Summarized the staff report. Staff report August 11-106 CUP dated July 22, 2011, and part of the case file is hereby made as an attachment to the minutes. Jeff Barnett is here to answer any further questions that you may have.

Mr. Knisley: Thank you. Are there any comments from the Commission? Jeff, could you please come up to the podium?

Jeff Barnett: Jeff Barnett, Crown Castle, St. Louis, MO. Sure just a couple of quick notes. Under the recommendations for approval; “co-location shall be granted at no charge to the Clay County Sheriff Department and/or authorized public safety responder which serves the subject area”. That is perfectly fine with us but our only stipulation with that is if the tower structure is capable of handling that load should that be presented. I did find condition number ten regarding the two year inspection period; there is a Board that recommends for self support towers which would also include what we have here, a mono-pole tower, every five years for an inspection and on a guide tower it would be every three years. That is the industries standard. We just wanted to bring that up. We just happened to get one on this tower because it required a new structural engineering report. Those are the only things that I want to bring to your attention.

Mr. Knisley: Are you capable of letting the Sheriff’s Department and other emergency service co-locate on the tower as it is now?

Jeff Barnett: I would think.....it is depending on what their needs are. If they just need a small whip antenna, and depending on how high they need it and what is already there. We do run into some situations where they need several vertical feet and if the tower is past its capacity to hold anything additional then that would be the only stipulation that we would need to work with and how to get that addressed.

Mr. Knisley: How many customers can you put on your tower now?

Jeff Barnett: It depends on if we have what we call a full PCS carrier like Verizon, we are looking at an application right now from AT&T but they would want to put up a full antenna which is much more structurally stressing on a tower than a little whip antenna.

Mr. Knisley: So you could handle that?

Jeff Barnett: We should be able to handle that.

Mr. Knisley: Then could you handle the Clay County Sheriff?

Jeff Barnett: It will be based on what their needs are. If they need to be at the top of the tower and there is already another antenna there, we might have an interference issue. Those are things that we would have to look at. We are willing to work with them and work with the other person and they could triangulate their antennas differently to get it to off set the interference. We are always willing to look at that.

Mr. Knisley: Are there any other comments?

Jeff Barnett: No.

Mr. Knisley: Are there any comments from the Commission?

Mr. Richerson: Do we want to keep on the every two year inspections as our code or do we want to look at our codes after this and go to the industry standards. I know it is probably costly for the inspections and trying keep track of certain towers and their inspections.

Mr. Tapp: Yes, I would love to explore the idea of expanding the two years. However, our code specifically says 24 months, and this Board cannot grant variances for the standard code. Unfortunately, at the timing of this particular case.....We will definitely look at it, and we are about to submit major amendments to our Land Development Code.

Jeff Barnett: I will provide you with the industry standard information.

Mr. Tapp: Thank you. Unfortunately, it is timing issue.

Jeff Barnett: Fortunately, we just happened to just have an inspection in April. We have a difference maintenance schedule if a new carrier wants to come on and wants to do that. We still have another three to five year period regardless.

Mr. Tapp: Let's say we do amend the codes to three and five year time frames, then we would definitely honor that and retro it back to the existing.

Mr. Knisley: Any other comments? Being none, do I have a motion?

Mr. Richerson: Mr. Chairman, I move that we approve the August 11-106 CUP Cell Tower renewal at 13222 NE 112th Street with the 10 (ten) conditions.

Mr. Knisley: Thank you there has a motion to approve with the 10 (ten) conditions. Do I have a second?

Mr. Edwards: Seconded.

Mr. Knisley: Vote, please.

Mr. Tapp: Mr. Walters?

Mr. Walters: Approve with 10 conditions.

Mr. Tapp: Mr. Edwards?

Mr. Edwards: Approve with 10 conditions.

Mr. Tapp: Mr. Richerson?

Mr. Richerson: Approve with 10 conditions.

Mr. Tapp: Mr. Beggs?

Mr. Beggs: Approve with 10 conditions.

Mr. Tapp: Mr. Knisley?

Mr. Knisley: Approve 10 conditions.

Final Vote:	5/0/0	Approve	August 11-106 CUP
			Renewal Petty Farms Cell Tower
			13222 NE 112th Street
			10 (ten) conditions

Mr. Knisley: Any other business?

Mr. Tapp: No.

Mr. Knisley: Being none, do I have a motion to adjourn?

Mr. Richerson: So move.

Mr. Edwards: Seconded.

Mr. Tapp: Debbie has something else to add.

Mrs. Viviano: In the code on page 104, it does say that a minimum, inspections shall be conducted in accordance with the tower inspection check list provided in the EIA.

Jeff Barnett: The EIA is no longer in existence. That is now the ANSI TIA.

Mrs. Viviano: Okay. With our code changes, we will make note of that.

Jeff Barnett: If you go on their web site, it will direct you to the other association.

Mrs. Viviano: Okay, that will not work.

Mr. Knisley: Okay, we had a motion and a second to adjourn.

All: So moved.

Meeting Adjourned

Chairman, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Recording Secretary